



# NATIONAL SHERIFFS' ASSOCIATION

JONATHAN F. THOMPSON  
Executive Director

December 10, 2015

The Honorable Sally Quillian Yates  
Deputy Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Deputy Attorney General Yates:

On behalf of the National Sheriffs' Association and the more than 3,000 sheriffs nationwide, I write today to formally request a legal opinion on the constitutionality of the Department of Homeland Security's Priority Enforcement Program. Such an opinion is long overdue and would provide much needed answers to state and local law enforcement agencies across the country. The precedent for a Department of Justice opinion has been well-established and have historically addressed a broad array of issues.

Unfortunately, litigation from the previous Department of Homeland Security program, Secure Communities, has made city and county attorneys wary of such programs due to significant liability concerns, leading to rise in so-called "sanctuary cities." It is critical to the safety of our communities, as well as the viability of PEP and any successor programs, to ensure that all concerns are properly addressed. Thus, I request the Attorney General direct the appropriate Department of Justice offices to draft and release a full legal opinion on all the constitutional questions raised regarding PEP. Without such an opinion, it is clear that jurisdictions will continue to refuse involvement with the program.

I hope the Department of Justice will act expeditiously on this request. If NSA may be of any assistance in this matter, please don't hesitate to contact me. I look forward to hearing from you and hope that together we can ensure that our communities are not placed in unnecessary risk when participating in Federal programs.

Sincerely,

A handwritten signature in black ink that reads "Jonathan F. Thompson". The signature is written in a cursive, flowing style.

Jonathan F. Thompson